

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**ATLANTIC CASUALTY
INSURANCE COMPANY,**

Plaintiff,

vs.

**K&F INDUSTRIAL
CONTRACTORS, INC. &
SCHUFF STEEL-ATLANTIC, INC.
f/k/a ADDISON STEEL, INC.,**

Defendants.

Civil Action No.: 1:07CV196-MEF

JOINT MOTION TO ALTER OR AMEND FINAL JUDGMENT

All parties to the above styled action, by and through their counsel of record, move the Court to alter or amend the Final Judgment (Doc. 19) entered on May 11, 2007, to reflect the dismissal of the above styled action without prejudice.

As grounds, the parties assert that the Stipulation for Dismissal (Doc. 18) filed on May 10, 2007, did not specify whether the dismissal was with or without prejudice, it being their intent that, based on the agreed terms that the parties specified and recited in their Stipulation for Dismissal, the Dismissal would be without prejudice, as provided for by Rule 41(a)(1), Fed.R.Civ.P.

To reflect correctly the intent of the parties, they request that the Court amend its Final Judgment to state that dismissal of this action is without prejudice.

DONE this 23rd day of May, 2007.

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